

Attorney Docket No: 23540-07445/US

Client Ref: 2001-072-2

USSN: 09/955,663

AMENDMENTS TO THE CLAIMS

1. (Canceled)

2. (Currently amended): ~~The method of claim 1,~~ A method for estimating the precision of measurements taken from an array, comprising:

- (a) identifying a set of low-level data measurements;
- (b) estimating a standard deviation, σ_ε , of an additive error component, ε ;
- (c) estimating a background parameter, α ;
- (d) identifying a set of replicated high-level data measurements;
- (e) estimating a standard deviation, σ_η , of a proportional error component, η

from the standard deviation of the logarithm of the replicated high-level data set;

(f) measuring a signal, y , wherein said signal indicates an amount of a biological molecule; and

- (g) estimating a variance of the measured signal as

$$\text{Var}\{y\} = \mu^2 e^{\sigma_\eta^2} (e^{\sigma_\eta^2} - 1) + \sigma_\varepsilon^2$$

wherein μ is the amount of the biological molecule and

$$y = \alpha + \mu e^\eta + \varepsilon$$

and wherein said identifying step (a) comprises the use of a thresholding algorithm to establish a cutoff, and the set of low-level data consists of those data with values less than the cutoff.

3. (Previously amended): The method of claim 2, wherein the thresholding algorithm comprises the steps of:

(a) identifying A_N , an initial set of low-level data measurements consisting of q percent of the total number of data points having the lowest measurement values, $A_N = \{x_1, x_2, \dots, x_{nq}\}$;

(b) calculating a mean and a standard deviation of the initial set;

(c) calculating a cutoff point, $u_N = \text{mean} + (c \times \text{the standard deviation})$,

wherein $2 \leq c \leq 3$;

(d) defining a new set, $A_{N+1} = \{x_j < u_N\}$;

(e) calculating a mean and standard deviation of the new set; and

Attorney Docket No: 23540-07445/US

Client Ref: 2001-072-2

USSN: 09/955,663

(f) repeating steps (c) and (d) using the mean and standard deviation of the new set until the algorithm converges.

4. (Previously amended): The method of claim 2, wherein the thresholding algorithm comprises the steps of:

(a) identifying A_N , an initial set, of low-level data consisting of q percent of the total number of data points having the lowest measurement values, $A_N = \{x_1, x_2, \dots, x_{no}\}$;

(b) calculating a median of the initial set, $m_o = \text{median } \{x_j\}_{j=1}^{n_o}$ and a median of the absolute deviations about the median, $MAD_o = \text{median } \{x_j - m_o\}_{j=1}^{n_o}$;

(c) calculating a cutoff point, $u_o = MAD_o + (c \times s_o)$, wherein $s_o = MAD_o/0.675$ and $2 \leq c \leq 3$;

(d) defining a new set, $A_{N+1} = \{x_j < u_N\}$;

(e) calculating a median and a median of the absolute deviations about the median of the new set; and

(f) repeating steps (c) and (d) using the median and the median of the absolute deviations about the median of the new set until the algorithm converges.

5. (Original): The method of claim 2, wherein the mean of the low-level data measurements is used as the estimate of the background parameter, α .

6. (Currently amended): The method of claim 2 ~~claim 1~~, wherein the standard deviation of the low-level data measurements is used as the estimate of the parameter σ_e .

7. (Currently amended): The method of claim 2 ~~claim 1~~, wherein a mean of negative control data is used as the estimate of the background parameter, α .

8. (Currently amended): The method of claim 2 ~~claim 1~~, wherein the biological molecule is a nucleic acid.

9. (Original): The method of claim 8, wherein the nucleic acid is mRNA.

10. (Original): The method of claim 8, wherein the biological molecule is DNA.

11. (Original): The method of claim 10, wherein the DNA is cDNA.

12. (Original): The method of claim 10, wherein the DNA is genomic.

NOV-09-04 03:31PM FROM-Fenwick & West

415 281 1350

T-163 P.007/011 F-804

Attorney Docket No: 23540-07445/US

Client Ref: 2001-072-2

USSN: 09/955,663

13. (Canceled)

14. (Canceled)